

1-1312

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/707,621	GOLLE ET AL.
	Examiner	Art Unit
	James W. Cranson	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 04/07/2006.
2.  The allowed claim(s) is/are 1-26.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 03/09/06
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments and Amendment***

Applicant's arguments, see amendment, filed 04/07/2006, with respect to Office Action mailed 11/08/2005 have been fully considered and are persuasive. The rejections of claims 1-26 has been withdrawn.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, line 6, delete "the front", insert "a front", delete "the rear", insert "a rear",  
claim 1, line 7, delete "a", insert "the",  
claim 1, line 8, "a", insert "the".

In claim 11, line 8, delete "the front", insert "a front",  
claim 11, line 9, delete "the rear", insert "a rear",  
claim 11, line 10, delete "a front ", insert "the front",  
claim 11, line 10, delete "a rear ", insert "the rear".

In claim 20, line 4, delete "the front", insert "a front",  
claim 20, line 5, delete "the rear", insert "a rear",  
claim 20, line 6, delete "a front", insert "the front".

***Allowable Subject Matter***

Claims 1-26 allowed.

The following is an examiner's statement of reasons for allowance: Instant application claims and discloses a method and apparatus for improving driver safety that has electroluminescent lighting surfaces attached to the front and rear of an oversized highway vehicle or to a vehicle with an oversized load.

Regarding claim 1:

A method for improving driver safety in an oversized highway vehicle or highway vehicle with an oversized load, comprising: obtaining an oversized highway vehicle or highway vehicle with an oversized load that includes safety indicia illuminated by one or more EL lighting surfaces; and driving the vehicle on an highway, at least one EL lighting surface is oriented to a front of the vehicle and at least one EL lighting surface is oriented to a rear of the vehicle so it is visible to drivers approaching the front of the vehicle of the vehicle and to drivers approaching the rear of the vehicle, and further at least one of the EL lighting surfaces is approximately 72 inches in width and at least about 8.8 inches in height. The prior art of record does not show and would not have suggested the limitations in the amended claim 1. In particular, having the EL surfaces on the front and the back of the vehicle with a height of 8.5 inches and a width of 72 inches.

Claims 2-10 depend directly or indirectly from claim 1, add further limitations, and are allowable for the same reasons.

Regarding claim 11:

Apparatus comprising:

an oversized highway vehicle or highway vehicle with an oversized load, a main body; optional trailer; and optional mud flaps; and safety indicia illuminated by one or more EL lighting surfaces on the main body and optional trailer and optional mudflaps; and at least one EL lighting surface is oriented to a front of the vehicle and at least one EL lighting surface is oriented to a rear of the vehicle so it is visible to drivers approaching the front of the vehicle of the vehicle and to drivers approaching the rear of the vehicle, and further at least one of the EL lighting surfaces is approximately 72 inches in width and at least about 8.8 inches in height. The prior art of record does not show and would not have suggested the limitations in the amended claim 11. In particular, having the EL surfaces on the front and the back of the vehicle with a height of 8.5 inches and a width of 72 inches.

Claims 12-19 depend directly or indirectly from claim 11, add further limitations, and are allowable for the same reasons.

Regarding claim 20:

A method for making a oversized highway vehicle or highway vehicle with an oversized load, comprising:obtaining a oversized highway vehicle or highway vehicle with an oversized load and attaching to the oversized highway vehicle or highway vehicle with an oversized load one or more El lighting devices, the EL lighting devices effective for signaling a safety signal to other drivers on a highway, at least one EL lighting surface is oriented to a front of the vehicle and at least one EL lighting surface is oriented to a rear of the vehicle so it is visible to drivers approaching the front of the vehicle of the vehicle and to drivers approaching the rear of the vehicle, and further at least one of the EL lighting surfaces is approximately 72 inches in width

and at least about 8.8 inches in height. The prior art of record does not show and would not have suggested the limitations in the amended claim 20. In particular, having the EL surfaces on the front and the back of the vehicle with a height of 8.5 inches and a width of 72 inches.

Claims 21-26 depend directly or indirectly from claim 20, add further limitations, and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O`Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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